

## DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled A METHOD AN APPARATUS FOR OPERATING A SOLID-OXIDE FUEL CELL STACK WITH A MIXED IONIC/ELECTRONIC CONDUCTING ELECTROLYTE, the specification of which

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is attached hereto.

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was filed on 2 February 2005, as United States Application No. \_\_\_\_\_ or PCT International Application No. PCT/GB2005/000355, and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

### Priority

#### Claimed

Application No.

Country

Filing Date

Yes No

0402906.2

United Kingdom

10 February 2004

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I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Application No.

Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

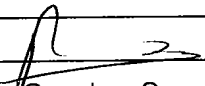
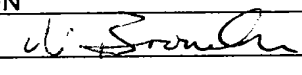
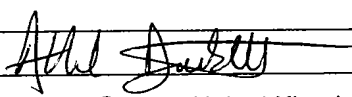


Application No.

Filing Date

I hereby appoint Nelson H. Shapiro, Reg. No. 17,095, Mitchell W. Shapiro, Reg. No. 31,568, and the other practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number:

Customer Number 000181.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

- (1) Full name of sole or first inventor Robert LEAH  
Date: 27 - Nov - 2006 Signature:   
Citizenship: United Kingdom Residence: Croydon, Surrey, United Kingdom  
Post Office Address: 24 CHISWICK CLOSE, CROYDON, SURREY, CR0 4SY UNITED KINGDOM  
Flat 2, 10 Ledbury Place, Croydon, Surrey CR0 1ET United Kingdom
- (2) Full name of second joint inventor, if any: Nigel Peter BRANDON  
Date: 27 - Nov - 2006 Signature:   
Citizenship: United Kingdom Residence: Sutton, Surrey, United Kingdom  
Post Office Address: 15 THE AVENUE, CHEAM, SUTTON, SURREY, SM2 7QA UNITED KINGDOM  
60 York Road, Sutton, Surrey SM2 6HJ United Kingdom
- (3) Full name of sole or first inventor Athol DUCKETT  
Date: 21 - Nov - 2006 Signature:   
Citizenship: United Kingdom Residence: Epsom, Surrey, United Kingdom  
Post Office Address: 230a WALTON ROAD, EAST MOLESEY, SURREY KT8 0HR UNITED KINGDOM  
2 Providence Place, Epsom, Surrey KT17 4BB United Kingdom
- (4) Full name of second joint inventor, if any: Karim EL KOURY  
Date: 27 - Nov - 2006 Signature:   
Citizenship: United Kingdom Residence: London, United Kingdom  
Post Office Address: FLAT 2, 64 SALCOTT ROAD, LONDON SW11 6DE  
4 Egerton House, 59 Belgrave Road, London SW1V 2BE United Kingdom
- (5) Full name of second joint inventor, if any: Martin SCHMIDT  
Date: 27 - Nov - 2006 Signature:   
Citizenship: United Kingdom Residence: Wallington, United Kingdom  
Post Office Address: 31 Lodge Road, Wallington SM6 0TZ United Kingdom